

Sector #3



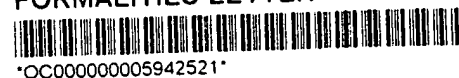
UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/758,007 | 01/10/2001 | Leonard I. Zon | 701039-050920 |

CONFIRMATION NO. 8096

FORMALITIES LETTER



OC000000005942521

 NIXON PEABODY LLP
 101 Federal Street
 Boston, MA 02110

Date Mailed: 04/06/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$630.
 - \$360 for 20 total claims over 20.
 - \$270 for multiple dependent claim surcharge.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1470.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

06/13/2001 KZWDIE 00000059 09758007

| | |
|-----------|-----------|
| 01 FC:201 | 355.00 OP |
| 02 FC:203 | 180.00 OP |
| 03 FC:204 | 135.00 OP |
| 04 FC:205 | 65.00 OP |

copy of this notice **MUST** be returned with the reply.

Zm

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Docket No. 701039-050920

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Leonard I. ZON, James AMATRUDA, Jennifer SHEPARD
Application No.: 09/758,007 Group No.: Not yet assigned
Filed: 01/10/2001 Examiner: Not yet assigned
For: METHOD FOR IDENTIFYING GENES INVOLVED IN CELL
PROLIFERATION

CERTIFICATE OF MAILING (37 C.F.R. SECTION 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.

June 6, 2001

Nicole M. Gignac

(type or print name of person mailing paper)

Nicole M. Gignac
Signature of person mailing paper

Box Missing Parts
Assistant Commissioner for Patents
Washington, D. C. 20231

TRANSMITTAL OF FORMAL DRAWING(S)
PRIOR TO NOTICE OF ALLOWANCE

Attached please find formal drawings, Figures 1, 2A-2D, 3A-3B, 4A-4F, 5A-5F, 6A-6E, 7A-7L, 8A-8C, 9, 10, 11, 12, 13A-13C, 14, 15, 16A-16B, 17A-17C, 18A-18C, 19A-19E, 20A-20F and 21A-21F, for this application.

Date: June 6, 2001

Customer No.: 26248

Respectfully submitted,

David S. Resnick (Reg. No. 34,235)
NIXON PEABODY LLP
101 Federal Street
Boston, MA 02110
(617) 345-6057



Docket No. 701039-050920

#3
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Leonard I. ZON, James AMATRUDA, Jennifer SHEPARD
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For: METHOD FOR IDENTIFYING GENES INVOLVED IN CELL
PROLIFERATION

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a) and 1.10)

I hereby certify that this correspondence:

1. Completion of Filing Requirements – Nonprovisional Application (5 pgs);
2. Copy of Notice to File Missing Parts of Nonprovisional Application (2 pgs);
3. Declaration and Power of Attorney – Executed by L. Zon, J. Amatruda and J. Shepard (4 pgs);
4. Transmittal of Formal Drawings (1 pg);
5. Formal Drawings (29 sheets);
6. Check in the Amount of \$735.00 – filing & surcharge fee;
7. Form 1595 – Recordation Form Cover Sheet (1 pg);
8. Assignment – Executed by L. Zon, J. Amatruda and J. Shepard (3 pgs);
9. Check in the Amount of \$40.00 – assignment fee;
10. Return Receipt Postcard;

is on the date shown below being:

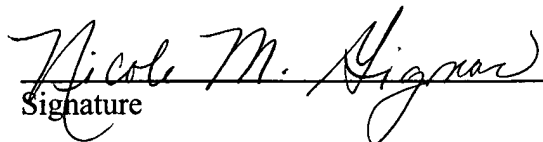
MAILING

X deposited with the United States Postal Service and with sufficient postage as first class mail in an envelope addressed to Box Missing Parts the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: June 6, 2001

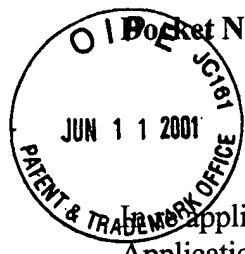
FACSIMILE

transmitted by facsimile to the Patent Trademark Office.


Signature

Nicole M. Gignac
(type or print name of person certifying)

#3



Pocket No. 701039-050920

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

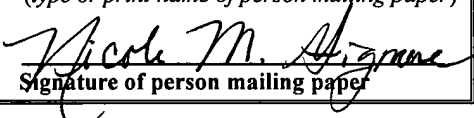
In application of: Leonard I. ZON, James AMATRUDA, Jennifer SHEPARD
Application No.: 09/758,007 Group No.: Not yet assigned
Filed: 01/10/2001 Examiner: Not yet assigned
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June 6, 2001

Nicole M. Gignac
(type or print name of person mailing paper)


Signature of person mailing paper

Box Missing Part
Assistant Commissioner for Patents
Washington, D.C. 20231

COMPLETION OF FILING REQUIREMENTS
-- NONPROVISIONAL APPLICATION

(check and complete this item, if applicable)

- I.** ☒ This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed 04/06/2001.
- ☒ A copy of the Notice to File Missing Parts of Application--Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION OR OATH

- II.** ☒ No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

OR

- ☐ The declaration or oath that was filed was determined to be defective. A new original oath or declaration is attached.

(complete (c) or (d), if applicable)

In re application of: Leonard I. ZON, James AMATRUDA, Jennifer SHEPARD, Matthew FREEDMAN
Application No.: 09/758,007 Group No.: Not yet assigned
Filed: 01/10/2001 Examiner: Not yet assigned
For: METHOD FOR IDENTIFYING GENES INVOLVED IN CELL PROLIFERATION

Attached is a

- (c) ☐ Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.
- (d) ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto that were filed in the PTO to obtain the filing date.

AMENDMENT CANCELLING CLAIMS

III. ☐ Cancel claims _____ inclusive.

TRANSMITTAL OF ENGLISH TRANSLATION OF NON-ENGLISH LANGUAGE PAPERS

- IV. ☐ Submitted herewith is an English translation of the non-English language application papers as originally filed. Also submitted herewith is a statement by the translator of the accuracy of the translation. It is requested that this translation be used as the copy for examination purposes in the PTO.

SMALL ENTITY STATUS

- V. Applicant asserts Small Entity status pursuant to (37 C.F.R. 172).

COMPLETION FEES

VI.

1. Filing fee

☒ original patent application
(37 C.F.R. Section 1.16(a)--\$710.00: small entity--\$355) \$ 355.00

☐ design application
(37 C.F.R. Section 1.16(f)--\$320; small entity--\$160)\$ _____

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2. Fees for claims

☐ each independent claim in excess of 3
(37 C.F.R. Section 1.16(b)--\$80; small entity--\$40) \$ _____

☒ each claim in excess of 20
(37 C.F.R. Section 1.16(c)--\$18; small entity--\$9) \$ 180.00

☒ multiple dependent claim(s)
(37 C.F.R. Section 1.16(d)--\$270; small entity--\$135) \$ 135.00

3. Surcharge fees

☒ late payment of filing fee and/or late filing of original declaration or oath
(37 C.F.R. Section 1.16(e)--\$130; small entity--\$65) \$ 65.00

4. ☐ Petition and fee for filing by other than
all the inventors or a person not the inventor
(37 C.F.R. Sections 1.17(i) and 1.47--\$130) \$ _____

5. ☐ Fee for processing an application filed with
a specification in a non-English language
(37 C.F.R. Sections 1.17(k) and 1.52(d)--\$130) \$ _____

6. ☐ Fee for processing and retention of application
(37 C.F.R. Sections 1.21(l) and 1.53(d)--\$130) \$ _____

7. ☒ Assignment (See "ASSIGNMENT COVER SHEET") \$ 40.00

Total completion fees \$ 775.00

EXTENSION OF TIME

VII.

(complete (a) or (b), as applicable)

The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

(a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. Section 1.17(a)(1)-(4), for the total number of months checked below:

In re application of: Leonard I. ZON, James AMATRUDA, Jennifer SHEPARD, Matthew FREEDMAN
Application No.: 09/758,007 Group No.: Not yet assigned
Filed: 01/10/2001 Examiner: Not yet assigned
For: METHOD FOR IDENTIFYING GENES INVOLVED IN CELL PROLIFERATION

| <u>Extension (months)</u> | <u>Fee for other than small entity</u> | <u>Fee for small entity</u> |
|---------------------------------------|--|---------------------------------|
| <input type="checkbox"/> one month | \$110 | \$55 |
| <input type="checkbox"/> two months | \$390 | \$195 |
| <input type="checkbox"/> three months | \$890 | \$445 |
| <input type="checkbox"/> four months | \$1,390 | \$695 |

Fee \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

(b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE

VIII.

The total fee due is

Completion fee(s) \$ 775.00
Extension fee (if any) \$ _____

Total Fee Due \$ 775.00

PAYMENT OF FEES

IX.

☒ Enclosed is a check in the amount of \$ 735.00 – filing and surcharge fee.

☒ Enclosed is a check in the amount of \$ 40.00 – filing and surcharge fee.

☐ Charge Account No. _____ in the amount of \$ _____.

A duplicate of this request is attached.

☒ Please charge Account No. 50-0850 for any fees which may be due by this paper.

In re application of: Leonard I. ZON, James AMATRUDA, Jennifer SHEPARD, Matthew FREEDMAN
Application No.: 09/758,007 Group No.: Not yet assigned
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For: METHOD FOR IDENTIFYING GENES INVOLVED IN CELL PROLIFERATION

AUTHORIZATION TO CHARGE ADDITIONAL FEES

X.

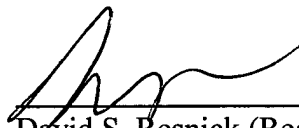
☒ The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the pendency of this application to Account No. 50-0850.

- ☒ 37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)
- ☒ 37 C.F.R. Section 1.16(b), (c) and (d) (presentation of extra claims)
- ☒ 37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- ☐ 37 C.F.R. Section 1.17(a)(1)-(5)(extension fees pursuant to Section 1.136(a).
- ☐ 37 C.F.R. Section 1.17 (application processing fees)
- ☐ 37 C.F.R. Section 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. Section 1.311(b))

Date: June 6, 2001

Customer No.: 26248

Respectfully submitted,



David S. Resnick (Reg. No. 34,235)
NIXON PEABODY LLP
101 Federal Street
Boston, MA 02110
(617) 345-6057